

Amendments to the Drawings

The attached sheets of drawings includes changes to Figs. 4 and 5. These sheets, which include Figs. 4 and 5, replaces the original sheets including Figs. 4 and 5. In Fig. 4, the term “S400” is deleted, and in Fig. 5, the legend “Prior Art” is added.

Attachment: Replacement Sheet

REMARKS

I. Introduction

At the time of the Office Action dated July 21, 2005, claims 1-13 were pending. In this Amendment, claims 1-4, 6, 7, 9, 11 and 12 have been amended, and claim 13 canceled, without prejudice. Care has been exercised to avoid the introduction of new matter. Specifically, adequate descriptive support for the amendment of claim 1 can be found, for example, on page 13, the second full paragraph, of the specification. Claims 2-4, 6, 7 and 9 have been amended only to improve wording. Claim 11 has been amended to be dependent on claim 9. Claim 12 has been amended so that the claimed invention is directed to statutory subject matter. The specification and drawings have been amended to correct minor errors. In addition, the abstract has been amended to be a single paragraph.

II. Objection to the Drawings

Figs. 2-4 have been objected to because the following reference numerals are not mentioned in the specification: 210, 243, 260, 292, 321, 350, 351, 352, 370, S400 and S420. In response, the specification has been amended to mention the reference numerals 210, 243, 260, 292, 321, 350, 351, 352, 370 and S420, and Fig. 4 has been amended to delete "S400."

Fig. 5 has also been objected to because the legend "Prior Art" is required. Applicant has amended Fig. 5 in a manner suggested by the Examiner.

Accordingly, withdrawal of the objections of the drawings is respectfully solicited.

III. Objection to the Specification

The Examiner suggested that the reference number for “device control function” on page 16, line 13 appears to be incorrect. In response, the reference number has been amended to be “220.”

IV. Claim Objections.

The Examiner has objected to claim 1 because the term “USB” was not clearly spelled out as “Universal Serial Bus,” and because it is unclear as to which version(s) of USB the applicant is referring to.

In response, Applicant has amended claim 1 to clarify what the acronym “USB” stands for. However, Applicant respectfully traverses the Examiner’s position that it is unclear as to which version(s) of USB the applicant is referring to. This is so because there is no reason, and the Examiner did not provide any support, as to why a person skilled in the art cannot understand the subject matter recited in claim 1, in light of the specification and the drawings. Moreover, it is improper to attempt to force Applicant to limit the pending claims to a specific version of the USB interface. This would unduly narrow the scope of the invention without cause. As such, it is respectfully submitted that no further amendment is required.

Claims 11 and 13 have been objected to because a multiple dependent claim cannot depend on another multiple dependent claim. In response, claim 11 has been amended to be dependent only on claim 9, and claim 13 has been cancelled. Accordingly, withdrawal of this objection is respectfully solicited.

V. The Rejection of Claims 2-11 under 35 U.S.C. §112, Second Paragraph

The Examiner asserted that the forging claims are indefinite because the limitations “a USB host,” “said USB host,” “a USB device” and “a hub” are confusing. In response, Applicant has amended claims 2-4, 6, 7 and 9 according to the Examiner’s suggestions.

The Examiner further asserted that it is unclear as to what version of the “OTG Supplementary Specifications” the application is referring to, with respect to claim 11. Applicant respectfully traverses the Examiner’s position because there is no reason, and the Examiner did not provide any support, as to why a person skilled in the art cannot understand the subject matter recited by claim 11, in light of the specification and the drawings. Moreover, similar to the comments set forth above concerning claim 1, such an amendment would unduly narrow the scope of the claim for no valid reason. As such, it is respectfully submitted that no further amendment is required.

Therefore, withdrawal of the rejection of claims 2-11 under 35 U.S.C. §112, second paragraph, is respectfully solicited.

VI. The Rejection Claim 12 and 13 under 35 U.S.C. §101

The Examiner pointed out that the “program” recited in claims 12 and 13 is not tangible. In response, claim 12 has been amended to recite a computer readable medium bearing a program, and claim 13 has been canceled. Applicant, therefore, respectfully solicits withdrawal of the 101 rejection of the claims, and favorable consideration of claim 12.

VII. The Rejection of Claims 1, 2, 4, 6-9 and 11 under 35 U.S.C. §102(e) as being anticipated by Overtoom et al.

In the statement of the rejection, the Examiner asserted that Overtoom et al. discloses a dual-role compatible USB hub device identically corresponding to what is claimed.

It is well established precedent that the factual determination of lack of novelty under 35 U.S.C. §102 requires the identical disclosure in a single reference of each element of the claimed invention, such that the identically claimed invention is placed into the possession of one having ordinary skill in the art. *See EMI Group N. Am., Inc. v. Cypress Semiconductor Corp.*, 268 F.3d 1342, 60 USPQ2d 1423 (Fed. Cir. 2001); *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F. 3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994).

Applicant submits that, at a minimum, Overtoom et al. does not disclose a USB unit control method including all the limitations recited in claim 1, as amended. Claim 1 recites comparing “the information [recorded to indicate the function of the dual-role device] with change in the state of D+ or D- of a USB data line to which said dual-role device is connected,”

Based on Applicant’s study of Overtoom et al., the reference is silent on the forgoing step recited by claim 1. Applicant, of course, understands that Overtoom et al. describes that a “specific device requests the bus by removing a pull-up resistor (not shown) from a data line D+” (column 4, lines 11-19), cited by the Examiner to reject claim 6 (see paragraph 16 of the Office Action). However, this portion of the reference does not disclose the comparison made by the claimed invention. In addition, the Examiner asserted that Overtoom et al. in Fig. 4 teaches the state of a port where a USB unit is connected (see paragraph 16 of the Office Action). However, Fig. 4 of Overtoom et al. illustrates a state diagram for a hub itself. Overtoom’s hub is configured to act as a USB host or a hub. Fig. 4 is irrelevant to the claimed invention.

Accordingly, it is submitted that Overtoom et al. does not disclose a USB unit control method including all the limitations recited in independent claim 1, as amended, within the meaning of 35 U.S.C. §102. Dependent claims 2, 4, 6-9 and 11 are also patentably distinguishable at least because they include all the limitations recited in claim 1. Applicant, therefore, respectfully solicits withdrawal of the rejection of claims 1, 2, 4, 6-9 and 11, and favorable consideration thereof.

VIII. The Rejection of Claims 3, 5 and 10 under 35 U.S.C. §103(a)

Applicant submits that claims 3, 5 and 10 are patentably distinguishable over the cited prior art at least because they include all the limitations recited in claim 1. Furthermore, neither the “On-The-Go Supplement” nor McCauley teaches or suggests the steps of claim 1 which are not disclosed by Overtoom et al. Accordingly, the “On-The-Go Supplement” and McCauley do not cure any deficiencies of Overtoom et al. Applicant, therefore, respectfully solicits withdrawal of the rejection of claims 3, 5 and 10 under 35 U.S.C. §103, and favorable consideration thereof.

IX. Conclusion.

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

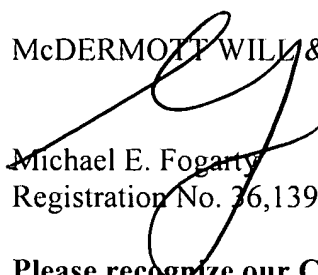
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

Application No.: 10/689,643

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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